

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JOHN DUNMIRE,)	
)	
v.)	C.A. No. 05-64 Erie
)	District Judge McLaughlin
CAPT. DEPASQUAL, et al.,)	Magistrate Judge Baxter
Defendants.)	

ORDER

AND NOW, this 14th day of September, 2005;

IT IS HEREBY ORDERED that Plaintiff's motion for an order to initiate payments from his inmate account [Document # 17] is dismissed as moot, as it is Plaintiff's duty to authorize the withdrawal of funds from his inmate account to pay the filing fee in this matter, not the Court's. It is further noted that Plaintiff filed the required Authorization form with this Court on April 15, 2005 [Document # 4], in accordance with this Court's previous Order granting Plaintiff's motion to proceed *in forma pauperis*. Thus, no further action is required to initiate payments from Plaintiff's inmate account.

IT IS FURTHER ORDERED that the parties are allowed ten (10) days from this date to appeal this order to a district judge pursuant to Local Rule 72.1.3 B. Failure to appeal within ten (10) days may constitute waiver of the right to appeal.

S/Susan Paradise Baxter
SUSAN PARADISE BAXTER
Chief U.S. Magistrate Judge